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LETTER DATED 13 NOVEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRFSIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter addressed to you by Mr. Mustafa Osman Ismail, Minister for Foreign Affairs of the Sudan.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council and if you would have them circulated as a Council document.

(Signed) Elfatih Mohamed Ahmed ERWA
Permanent Representative

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Annex

Letter dated 12 November 1998 from the Minister for Foreign Affairs of the Sudan addressed to the President of the Security Council

I refer to the letters from the Government of the Sudan dated 21 and 22 August 1998 addressed to the President of the Security Council (S/1998/786 and S/1998/792, respectively) and to the letters of support from the Arab Group (S/1998/791), the African Group (S/1998/802), the Islamic Group (S/1998/790) and the Movement of Non-Aligned Countries (S/1998/804) urging the Council to dispatch a fact-finding mission to investigate the allegations used by the United States Administration as a pretext to violate the provisions of international law and the Charter of the United Nations by attacking the Shifa pharmaceutical plant on 20 August 1998. I also refer to the draft resolution submitted to the Council by the Arab Group in the same connection.

I should like to draw the Council's attention to a lecture given by the United States Under Secretary of State for Political Affairs, Mr. Thomas R. Pickering, at the Middle East Institute in Washington, D.C., on 26 [i.e. 16] October 1998, in which he said:

> "But for political reasons, Sudan continues to argue for an international mission. May I say that there is more than a little cynicism in Sudan's request, now that the rains have begun to wash the soil."

Furthermore, in her statement to the Sixth Committee of the General Assembly on 11 November 1998 during its consideration of the item entitled "Measures to eliminate international terrorism", the representative of the United States said that the plant that had come under attack had not subsequently been protected or isolated, so that an investigation was no longer scientifically possible.

In this connection, I should like to draw the Council's attention to the fact that the United States, which objected from the outset to the Sudan's request, made absolutely no reference, either proximate or remote, at the time it was raising its objections or in the informal deliberations of the Council, to rainfall and its effect on evidence of the plant's involvement in the manufacture of chemical weapons. Instead, its representative was requesting that the opportunity be given for a bilateral solution.

In the light of the statement of the United States Under Secretary of State quoted above and given that we in the Sudanese Government have yet to note any serious desire on the part of the United States to discuss a bilateral solution to this problem, it is evident that the United States strategy for coping with this matter is to procrastinate and to take no action. Thus our right to have the international community do justice by us through the Security Council will supposedly lapse when our indictment is shelved through obsolescence and the international community's attention turns elsewhere or when the United States Administration fabricates fresh pretexts with which to impugn the accusation made, such as the rains mentioned above.

All of this is at variance with the sound position taken by our Government, which has from the outset endeavoured, through political and legal channels and within the framework of international law, to resolve this problem. We submitted a complaint to the Council and requested the dispatch of a fact-finding mission in our letter of 21 August 1998, one day after the attack took place.

The pretext of the rains is one that prompts ridicule and shows a form of contempt for the intelligence of others, particularly since the grounds of the plant are paved with concrete and there is no soil whatever, either to be taken as an alleged sample or to be washed by the rains. This pretext is further evidence from the United States of the weakness of its claim that the results of a soil test confirmed that the plant was producing substances used in the manufacture of chemical weapons. At this juncture, we are entitled to ask whether the alleged test sample had not been exposed to atmospheric and climatic factors.

In the light of the foregoing, the Government of the Sudan, rejecting outright the justifications advanced by the United States, calls upon the Council to perform its duties with regard to the maintenance of international peace and security as set forth in the Charter by expediting the dispatch of a commission of inquiry to the Sudan as stipulated in the draft resolution submitted to the Council by the Arab Group.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mustafa Osman ISMAIL
Minister for Foreign Affairs of the Sudan